

LAW OFFICES OF
McGINN & GIBB, PLLC

A PROFESSIONAL LIMITED LIABILITY COMPANY
PATENTS, TRADEMARKS, COPYRIGHTS, AND INTELLECTUAL PROPERTY LAW
8321 OLD COURTHOUSE ROAD, SUITE 200
VIENNA, VIRGINIA 22182-3817
TELEPHONE: (703) 761-4100
FACSIMILE/DATA: (703) 761-2375; 761-2376
E-MAIL: MCGINN&GIBB @ AOL.COM

RECEIVED
CENTRAL FAX CENTER

MAR 28 2005

SEAN M. MCGINN
PHILLIP E. MILLER†
FREDERICK E. COOPERRIDER†
JAMES E. HOWARD†
JAMES N. DRESSER
JOHN J. DRESCH
SCOTT M. TULINO
J. BRADLEY WRIGHT†
MEMBER OF BAR OTHER THAN VA

ANNAPOLIS, MD OFFICE
FREDERICK W. GIBB, III
MOHAMMAD S. RAHMAN†
PAMELA M. RILEY†

March 28, 2005

VIA FACSIMILE
(Total No. of Pages Transmitted: 3)

To: Examiner C. Nguyen
Group Art Unit No. 2675

Facsimile No.: (703) 872-9306/746-5792

From: Frederick E. Cooperrider

Facsimile No.: (703) 761-2375 or 76

Re: Statement of Substance of Interview
U.S. Patent Application Serial No. 10/060,398
Attorney Docket No. FUJI.014 (PU01-01115)

Examiner Nguyen:

Enclosed is a Statement of Substance of Interview, which we request be made of record, for the telephone interview conducted on March 24, 2005.

Thank you in advance for your kind consideration on this case.

Very truly yours,



Frederick E. Cooperrider
Registration No. 36,769

FEC/fec
Enclosure

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED
CENTRAL FAX CENTER

MAR 28 2005

In re Application of

Takao INOUE

Serial No.: 10/060,398

Group Art Unit: 2675

Filed: February 1, 2002

Examiner: C. Nguyen

For: LIGHT EMITTING DIODE DRIVING CIRCUIT

Honorable Commissioner of Patents
Alexandria, VA 22313-1450STATEMENT OF SUBSTANCE OF INTERVIEW

Sir:

In response to the requirement that Applicants place a statement of the substance of an interview in the record, Applicant hereby submits the following.

Applicant's representative received a telephone call from the Examiner on March 23, 2005. The Examiner stated that he was ready to allow the Application if claims 8 and 9 were incorporated into claim 6. Following coordination with the Applicant, Applicant's representative on March 24, 2005, authorized the Examiner to make such changes by Examiner's Amendment.

The Examiner called back requesting authorization to charge the Applicant's representative's deposit number for a time extension fee. Applicant's representative stated that he considered the charge for the time extension fee was not appropriate in this instance under the exception described in MPEP §706.07(I): *"However, an examiner's amendment correcting only formal matters which are identified for the first time after a reply is made to a final Office action would not require any extension fee, since the reply to the final Office action put the application in condition for allowance except for the correction of formal matters, the correction of which had not yet been required by the examiner."*

Serial No. 10/060,398
Docket No. PU01-01115
Interview Summary

2

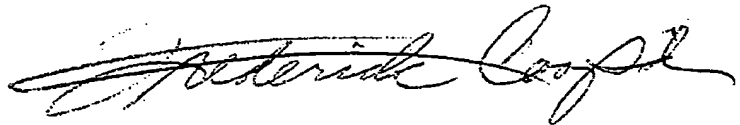
Applicant submits that, in the present instance, the Examiner's requirement that dependent claims be incorporated into the dependent claim is a mere formal matter that was not previously of record by either the newly-appointed Examiner or the previous Examiner.

However, in order to expedite prosecution, the Commissioner is authorized to charge Attorney Deposit Account No. 50-0481 for the appropriate time extension fee. A request for refund potentially will be filed to address the propriety of the charge in the instant case.

Date

3/28/05

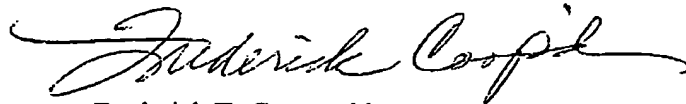
Frederick E. Cooperrider (Reg. No. 36, 769)



McGinn & Gibb, PLLC
8321 Old Courthouse Road, Suite 200
Vienna, VA 22182-3817
(703) 761-4100
Customer No. 21254

CERTIFICATION OF TRANSMISSION

I certify that I transmitted via facsimile to (703) 872-9306 this Statement of Substance of Interview to Examiner C. Nguyen on March 28, 2005.



Frederick E. Cooperrider
Reg. No. 36,769